

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JANE DOE 1 and JANE DOE 2,

Plaintiffs,

vs.

MATTHEW WEISS; the REGENTS
OF THE UNIVERSITY OF
MICHIGAN; the UNIVERSITY OF
MICHIGAN; KEFFER
DEVELOPMENT SERVICES, LLC,

Defendants.

Case No. 2:25-CV-10806
Hon. Mark A. Goldsmith

**PLAINTIFFS’ MOTION TO EXTEND THE TIME FOR SERVICE OF SUMMONS
UNDER RULE 4(m)**

Plaintiffs properly served Defendant Matthew Weiss for the reasons stated in Plaintiffs’ response to Weiss’s motion to set aside default (ECF No. 73). Nonetheless, out of an abundance of caution, Plaintiffs seek to extend the time to serve Defendant Weiss with the summons and complaint under Federal Rule of Civil Procedure 4(m) to July 30, 2025.

Rule 4 requires service within ninety days. Fed. R. Civ. P. 4(m). If the complaint is not served within ninety days, the court “on motion or on its own after notice to the plaintiff-- must dismiss the action without prejudice against that defendant *or order that service be made within a specified time.*” *Id.* “But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.” *Id.*

The Court issued the summons on March 24, 2025. (ECF No. 5). On April 15, 2025, Plaintiffs attempted to serve Defendant Matthew Weiss at 1310 Glendaloch Circle, Ann Arbor, Michigan 48104, believed to be his home address. **Exhibit A**. At the same time, Plaintiffs, using a paid for service, also attempted to serve Weiss at an address in Madison, Connecticut, also showing to be one of his homes. **Exhibit B**. The Ann Arbor service attempt was returned with the note “No Authorized Recipient Available.” **Exhibit A**. The Connecticut service attempt returned showing successful service and stating “Delivered, Left with Individual,” on April 28, 2025, recipient name “Mr Matthew Weiss,” and a signed signature block. **Exhibit C**. Plaintiffs filed this proof of service on May 14, 2025, the day after they received it. *Id.*

On June 12, 2025, almost a month later, Weiss filed the Motion to Set Aside the Default claiming that the Court lacks “personal jurisdiction” over an “unserved” Defendant. Mot. at 3, PageID.2209. In that Motion, Weiss provided a new and previously unknown address.

Using the new Ann Arbor address provided in Weiss’s Motion, Plaintiffs immediately made additional service attempts, assuming without conceding Weiss did not actually know of the claims against him here. **Exhibit D**. Plaintiffs made additional attempts at the original Ann Arbor Address on June 19, 2025, and made repeated phone calls to Weiss. **Exhibit E**. Additionally, Plaintiffs in Case No. 25-10946 personally served Weiss. (ECF No. 70) on June 12, 2025. (ECF No. 70). Weiss admits that service was proper and is seeking additional time to respond to that Complaint. (ECF No. 79).

The Court noticed an in person hearing on July 24, 2025, on Weiss's motion to set aside the default and motion for an extension of time to file answer to the Amended Complaint. (ECF No. 81).

To the extent the Court finds prior service attempts improper, Plaintiffs have shown good cause why Weiss was not served within the ninety days allowed by Rule 4(m). For those reasons, Plaintiffs move to extend the summons service deadline to July 30, 2025. If Weiss appears at the motion hearing on July 24, 2025, Plaintiffs will personally serve him on the record. Once Weiss is served on July 24, 2025, he will have until August 14, 2025, to file a responsive pleading, which is enough time for him to respond.

Plaintiffs respectfully request the Court grant their motion and extend the service deadline for Defendant Matthew Weiss to July 30, 2025.

Dated: July 16, 2025

Respectfully Submitted,

By: /s/ Parker G. Stinar

Parker G. Stinar

Patrick C. Lannen

Erik Johnson

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PROOF OF SERVICE

I hereby certify that on July 16, 2025, I electronically filed the foregoing documents with the Clerk of the Court using the ECF System which will send notification of such filing to all counsel of record

I further certify that on July 16, 2025 copies of the foregoing were served on the following party by First-Class Mail, as follows:

Matthew Weiss, Defendant

2075 W. Stadium Blvd. #1066

Ann Arbor, MI 48106

By: /s/ Parker G. Stinar
Parker G. Stinar